

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

MICHAEL AVENATTI,

Defendant.

19-CR-374 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Prior to administration of the jury questionnaires, the parties shall appear for an in-person conference with the Court tomorrow, **January 13, 2022, at 9:30 a.m. in Courtroom 1105** of the **Thurgood Marshall United States Courthouse**, 40 Centre Street, New York, NY.


All members of the public, including attorneys, must complete a questionnaire and have their temperature taken before being allowed entry into the Courthouse. **Attached to this Memorandum Opinion and Order are instructions and a link to the questionnaire.** In light of these protocols, counsel and Defendant should arrive at the Courthouse early to ensure that the proceeding can begin on time. **An N95, KN95 or KF94 mask (fully covering the mouth and nose) must be worn at all times while in the Courthouse.** (Please note that cloth masks, bandanas, neck gaiters, masks with exhalation valves, and ordinary surgical masks are not permitted.)

At the conference, counsel should be prepared to address, among other things, (1) whether the Government intends to offer evidence of the WhatsApp communications between Defendant and Victim-1 obtained from Defendant's iCloud account and, if so, what bearing that has on the Government's motion to preclude the expert testimony of Donald Vilfer at ECF No. 184; and (2) the Government's motion *in limine* to admit evidence of Defendant's failure to file income tax returns.

In light of defense counsel's indication that neither they nor Defendant will remain in the Jury Assembly Room after the Court's introductory remarks tomorrow, *see* ECF No. 231, the Court assumes that *all* those involved in the case will leave the Jury Assembly Room at the conclusion of the Court's remarks. If that assumption is incorrect, counsel must file a letter to that effect by 2:00 p.m. today so that the Jury Department can make the necessary arrangements.

SO ORDERED.

Dated: January 12, 2022
New York, New York


JESSE M. FURMAN
United States District Judge

All members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse.

On the day you are due to arrive at the courthouse, click on the following weblink, or scan the following QR code with a mobile device camera to begin the enrollment process. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance.

<https://app.certify.me/SDNYPublic>



Note: If you do not have a mobile phone or mobile phone number, you must complete the questionnaire and temperature screening at an entry device at the courthouse.